

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In re:

BKY No. 09-50779

Chapter 7

Dennis E. Hecker,

Debtor.

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**NOTICE OF HEARING AND EXPEDITED MOTION  
AUTHORIZING ORDER FOR RULE 2004 EXAMINATIONS**

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TO: ENTITIES SPECIFIED IN LOCAL RULE 9013-3

1. Randall L. Seaver, the Chapter 7 Trustee of the above-captioned bankruptcy estate ("**Trustee**"), applies to the court for authorization to conduct a Bankruptcy Rule 2004 examination. The examinations for which authorization is sought are of Pawn America Family Limited Partnership, Pawn America Minnesota, L.L.C., Pawn America, Payday America, Inc., Payday America, LLC, Payday Services of USA, Central Bank, Benilde St. Margaret, The Prudential Insurance Company of America, Mike Nelson, Your Exchange, Transamerica Life Insurance Company and Reliastar Life Insurance.

2. The Court will hold a hearing on this motion at 10:00 a.m. on September 29, 2010, in Courtroom 8 West, U.S. Bankruptcy Court, 300 South Fourth Street, Minneapolis, MN 55415.

3. As this Motion is brought on an expedited basis, any response to this Motion must be filed and served by delivery as soon as possible and suggestion is made that a response should be filed at least twenty-four (24) hours prior to the hearing. **UNLESS A RESPONSE IS TIMELY SERVED AND FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.**

4. This case was commenced by the filing of a voluntary petition under Chapter 7 on June 4, 2009. The case is currently pending in this Court. This court has jurisdiction over this application pursuant to 28 U.S.C. §157 and 1334, Bankruptcy Rule 5005 and Local Rule 1070-1. This proceeding is a core proceeding. This Application arises under Bankruptcy Rule 2004. This Application is filed under Local Rule 2004-1(a).

5. The entities for which Rule 2004 examination authority is sought are as follows:

- (a) Pawn America Family Limited Partnership, Pawn America Minnesota, L.L.C., Pawn America, Payday America, Inc., Payday America, LLC, Payday Services of USA: One of these entities provides cash card services which have been utilized by the Debtor and Christi Rowan since the commencement of this case. The Trustee believes that the records will evidence estate assets converted by the Debtor and Ms. Rowan.
- (b) Central Bank: This entity is the bank for Automotive Concepts of Golden Valley. The Debtor has engaged in transactions with the Debtor which the Trustee believes will be evidenced by the records of Central Bank. Debtor may have transacted business with Central Bank, too.
- (c) Benilde St. Margaret: This entity is believed to be where Christi Rowan's child(ren) are attending school and the Trustee desires to investigate the source of funding.
- (d) The Prudential Insurance Company of America and Mike Nelson: The Debtor has used this entity to maintain life insurance policies with cash value. Debtor has liquidated some of these policies since the inception of this case. Mike Nelson is the managing director of Prudential's local office.

- (e) Your Exchange: The Debtor and Christi Rowan have used this entity to cash checks.
- (f) Transamerica Life Insurance Company: Debtor maintained life insurance with Transamerica.
- (g) Reliastar Life Insurance: Debtor indicated ownership of an insurance policy with Reliastar.

6. Expedited relief is required so that the Trustee may recover assets of the estate before they are dissipated.

WHEREFORE, the Trustee requests that the court enter an order approving the Trustee's examinations, pursuant to Bankruptcy Rule 2004, of Pawn America Family Limited Partnership, Pawn America Minnesota, L.L.C., Pawn America, Payday America, Inc., Payday America, LLC, Payday Services of USA and Central Bank, Benilde St. Margaret, The Prudential Insurance Company of America, Mike Nelson, Your Exchange, Transamerica Life Insurance Company and Reliastar Life Insurance.

**LEONARD, O'BRIEN, SPENCER,  
GALE & SAYRE, LTD.**

Dated: September 21, 2010

/s/ Matthew R. Burton  
By: \_\_\_\_\_  
Matthew R. Burton  
100 South Fifth Street, Suite 2500  
Minneapolis, MN 55402  
(612) 332-1030

Attorneys for Randall L. Seaver, Trustee

**VERIFICATION**

I, Randall L. Seaver, Trustee for the Bankruptcy Estate of Dennis E. Hecker named in the foregoing Notice of Hearing and Motion declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Executed on September 21, 2010

/e/ Randall L. Seaver

\_\_\_\_\_  
Randall L. Seaver, Trustee

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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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**UNSWORN CERTIFICATE OF SERVICE**

I hereby certify that on September 21, 2010, I caused the following documents:

***Notice of Hearing and Expedited Motion Authorizing Order for Rule 2004  
Examinations and Order (proposed)***

to be filed electronically with the Clerk of Court through ECF, and that the above documents will be delivered by automatic e-mail notification pursuant to ECF and this constitutes service or notice pursuant to Local Rule 9006-1(a).

I further certify that I caused a copy of the foregoing documents to be mailed by first-class mail, postage paid to the following:

**SEE ATTACHED SERVICE LIST**

Dated: September 21, 2010

/e/ Stephanie Wood

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Stephanie Wood  
100 South Fifth Street, Suite 2500  
Minneapolis, MN 55402  
(612) 332-1030

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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BKY No. 09-50779  
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**ORDER FOR RULE 2004 EXAMINATIONS**

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This case is before the court on the motion of Randall L. Seaver, the trustee seeking authorization to conduct the examinations of Pawn America Family Limited Partnership, Pawn America Minnesota, L.L.C., Pawn America, Payday America, Inc., Payday America, LLC, Payday Services of USA, Central Bank, Benilde St. Margaret, The Prudential Insurance Company of America, Mike Nelson, Your Exchange, Transamerica Life Insurance Company and Reliastar Life Insurance pursuant to Bankruptcy Rule 2004(a) and Local Rule 2004-1(a).

It is ordered:

1. The trustee's request for expedited relief is granted.
2. The trustee's application for authorization to conduct 2004 examinations of Pawn America Family Limited Partnership, Pawn America Minnesota, L.L.C., Pawn America, Payday America, Inc., Payday America, LLC, Payday Services of USA, Central Bank, Benilde St. Margaret, The Prudential Insurance Company of America, Mike Nelson, Your Exchange, Transamerica Life Insurance Company and Reliastar Life Insurance is granted.